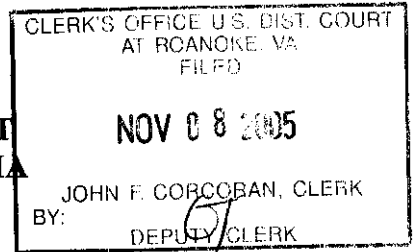


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



EDWIN R. CRUZ,
Plaintiff,

v.

D. MUSSER,
Defendant.

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Civil Action No. 7:05-cv-00662

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1), and is stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendant.

ENTER: This 8th day of November, 2005.



Senior United States District Judge